

**FEE TRANSMITTAL FOR FY 2005**

Effective 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** 2,290.00

Complete if Known:

Application No. 10/773,880  
Filing Date February 6, 2004  
First Named Inventor Phil Verinsky  
Examiner Name Thuan N. Du  
Art Unit 2116  
Attorney Docket No. 003551.P006C3

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Code	Fee (\$)	Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee	1,000/500	_____
1111	500	2111	250	Utility search fee		_____
1311	200	2311	100	Utility examination fee		_____
1012	200	2012	100	Design application filing fee	430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
SUBTOTAL (1) \$ <u>0.00</u>						_____

**2. EXCESS CLAIM FEES**

	<u>Extra Claims</u>	<u>Fee from</u> <u>below</u>	<u>Fees Paid (\$)</u>
<b>Total Claims</b> _____ - 20 or HP = _____		X \$50.00	= _____
HP = highest number of total claims paid for, if greater than 20			
<b>Independent Claims</b> _____ - 3 or HP = _____		X \$200.00	= _____
HP = highest number of independent claims paid for, if greater than 3			
<b>Multiple Dependent Claims</b> _____			= _____

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 0.00**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l</u> <u>50 or fraction thereof</u>	<u>Fee from</u> <u>below</u>	<u>Fees paid (\$)</u>
_____ - 100 = _____	/ 50 = _____	(round up to whole number)	X \$250.00	_____

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description: Application size fee for each additional group of 50 sheets</u> <u>beyond initial 100 sheets (count spec &amp; drawings except sequences &amp; program listings):</u>
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0.00

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

**Fees Paid (\$)**

Large Entity		Small Entity		Fee Description	
Code	Fee (\$)	Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	\$1,500.00
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	\$790.00
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (4) \$2,290.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Daniel M. De Vos

Signature: \_\_\_\_\_

Date: 6/10/05

Reg. Number: 37,813

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 10/773,880	Confirmation No.	7460
First Named Inventor	: Phil Verinsky		
Filed	: 2/6/2004		
TC/A.U.	: Optical Drive Controller with a host Interface for Direct Connection to an IDE/ATA Data Bus	Art Unit	2116
Examiner	: Thuan N. Du		
Docket No.	: 3551.P006C3		
Customer No.	: 08791		

MS: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

SECOND NOTIFICATIONS OF RELATED LITIGATION UNDER MPEP § 2001.06

(C)

Examiner:

Applicant submitted a First Notice of Related Litigation (and associated materials) on August 4, 2004 regarding: A) an investigation (337-TA-409) instituted by the International Trade Commission regarding patent number 5,581,715 (which issued based on a parent of this application) & Appeal therefrom to the CAFC;<sup>1</sup> B) Northern District of California Proceeding Regarding the 5,581,715 Patent; C) ITC Proceedings regarding the 6,584,527 and 6,546,440 Patents; and D) Central District of California Proceeding Regarding the 6,584,527 and 6,546,660 Patents.

Applicant submits updates regarding the litigation below using the same reference letters (A-D) used in the First Notice of Related Litigation.

A. ITC Proceedings (337-TA-409) and Appeal Therefrom to the CAFC regarding the 5,581,715 Patent

There are no new materials from these proceedings to submit. As indicated in the First Notice of Related Litigation, there was an appeal to the CAFC. Although not specifically mentioned in the First Notice of Related Litigation, there was a decision from the CAFC and it was provided with the First Notice of Related Litigation.

B. Northern District of California Proceeding Regarding the 5,581,715 Patent

Submitted herewith is an Order Denying UMC's Motion for Summary Judgment that the '715 Patent is Invalid under 35 U.S.C. § 112 ¶¶1, 2, & 6.<sup>2</sup> Unfortunately, the other documents in these proceedings have largely been filed under seal. However, it is believed that they will be largely cumulative with regard to the ITC proceedings discussed in the next section.

C. ITC Proceedings (337-TA-506) regarding the 6,584,527 and 6,546,440 Patents

The attached IDS includes: 1) the Complainant's (Zoran and Oak) Briefs<sup>3</sup>; 2) the Respondent's Briefs;<sup>4</sup> and 3) the Commission Investigative Staff's Briefs.<sup>5</sup> There are

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<sup>1</sup> There was also a prior ITC investigation regarding this patent (337-TA-401). However, the issues raised in the 337-TA-401 are subsumed in the ITC investigation (337-TA-409)

<sup>2</sup> Oak Technology, Inc. v. United Microelectronics Corporation, Case No. C 97-20959 RMW (Consolidated with C 97-21126 RMW) In the United States District Court, For the Northern District of California, San Jose Division, Order Denying UMC's Motion for Summary Judgment that the '715 Patent is Invalid Under 35 U.S.C. § 112 ¶¶1, 2 & 6, filed May 5, 2005 (12 pgs).

<sup>3</sup> In the Matter of Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC Optical Storage Devices, Invest. No. 337-TA-506, Public Version, U.S. Int'l. Trade Commission, Washington D.C., "Post Hearing Brief of Complainants Zoran Corporation and Oak Technology, Inc." dated 3/7/05 (197 pgs).

In the Matter of Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC Optical Storage Devices, Invest. No. 337-TA-506, Public Version, U.S. Int'l. Trade Commission, Washington D.C., "Post Hearing Reply Brief of Complainants Zoran Corporation and Oak Technology, Inc." dated March 21, 2004 (142 pgs)

<sup>4</sup> Public Version, U.S. Int'l. Trade Commission, Washington D.C., In the Matter of *CERTAIN OPTICAL DISK CONTROLLER CHIPS AND CHIPSETS AND PRODUCTS CONTAINING SAME, INCLUDING DVD PLAYERS AND*

news articles indicating that the Initial Determination of the ALJ has been made, but the public version of the decision is not yet available; Applicant will submit the public version when it is available. Applicant includes additional documents, at least some of which were relied upon in these briefs and/or decision.

It is also of note that the Initial Determination is being appealed to the Commission. Public versions of the briefs for the appeal will also be submitted when they are available.

D. Central District of California Proceeding Regarding the 6,584,527 and 6,546,440 Patents

These proceedings were transferred to the Northern District of California. The IDS includes Zoran and Oak's amended complaint,<sup>6</sup> as well as the defendant's amended answer.<sup>7</sup>

*Conclusion*

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*PC OPTICAL STORAGE DEVICES*, "Public Version of Respondents' Post-Hearing Reply Brief", May 9, 2005, 141 pages.

Public Version, U.S. Int'l. Trade Commission, Washington D.C., In the Matter of *CERTAIN OPTICAL DISK CONTROLLER CHIPS AND CHIPSETS AND PRODUCTS CONTAINING SAME, INCLUDING DVD PLAYERS AND PC OPTICAL STORAGE DEVICES*, "Public Version of Respondents' Post-Hearing Brief", May 9, 2005, 226 pages.

<sup>5</sup> Public Version, U.S. Int'l. Trade Commission, Washington D.C., In the Matter of *CERTAIN OPTICAL DISK CONTROLLER CHIPS AND CHIPSETS AND PRODUCTS CONTAINING SAME, INCLUDING DVD PLAYERS AND PC OPTICAL STORAGE DEVICES*, "Post-Hearing Brief of the Commission Investigative Staff", March 7, 2005, 84 pages.

Public Version, U.S. Int'l. Trade Commission, Washington D.C., In the Matter of *CERTAIN OPTICAL DISK CONTROLLER CHIPS AND CHIPSETS AND PRODUCTS CONTAINING SAME, INCLUDING DVD PLAYERS AND PC OPTICAL STORAGE DEVICES*, "Post-Hearing Reply Brief of the Commission Investigative Staff", March 21, 2005, 64 pages.

<sup>6</sup> Zoran Corporation and Oak Technology, Inc. v. Mediatek, Inc., Asustek Computer, Inc., Lite-On Information Technology Corp., et al., Case No. C-04-04609 RMW In the United States District Court, For the Northern District of California, San Jose Division, First Amended Complaint for Patent Infringement dated 12/22/04 (Exhibits A-1 and B-1) (96 pgs)

<sup>7</sup> Zoran Corporation and Oak Technology, Inc. v. Mediatek, Inc., Asustek Computer, Inc., Lite-On Information Technology Corp., et al., Case No. C-04-04609 RMW In the United States District Court, For the Northern District of California, San Jose Division, Defendant's Answer to Zoran Corporation and Oak Technology, Inc.'s First Amended Complaint, E-filed 1/10/05 (14 pgs)

As before, there are additional materials beyond what is enclosed. If any such additional materials are desired, applicant will make its best effort to provide such documents upon request.

*Invitation for a telephone interview*

The Examiner is invited to call the undersigned at 408-720-8300 if there any questions regarding this material.


*Charge our Deposit Account*

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 6/10, 2005

  
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